IN THE CLAIMS

Kindly amend claims 1, 4, 11 and 14 and delete claims 3 and 13 without prejudice to, or disclaimer of, the subject matter contained therein.

The following is a complete listing of revised claims with a status identifier in parenthesis.

LISTING OF CLAIMS

1.   (Currently Amended)   A hybrid telecommunications switch apparatus comprising:

one or more circuit switch fabrics,

one or more packet switch fabrics,

a controller configured to examine ~~traffic~~ a SONET/SDH path overhead ~~information~~ byte to determine which of said switch fabric types to route the traffic to; and to route telecommunications traffic to one or the other of the said circuit or packet switch fabrics upon making a determination.

2.   (Canceled)

3.   (Canceled)

4.   (Currently Amended)   The apparatus of ~~claim 3~~ claim 1 wherein the overhead byte is a C2 overhead byte.

5.   (Original)   The apparatus of claim 1 wherein the circuit switch fabric is a synchronous transport signal (STS) crossconnect.

6.   (Original)   The apparatus of claim 1 wherein the packet switch fabric is configured to switch internet protocol (IP) or asynchronous transfer mode (ATM) traffic.

7.   (Original)   The apparatus of claim 1 further comprising a plurality of circuit switch fabrics.

8.   (Original)   The apparatus of claim 1 wherein the controller is configured to examine a path overhead byte associated with received traffic and to thereby determine whether the traffic is ATM, IP, or STM traffic.

9.   (Original)   The apparatus of claim 8 wherein the controller is configured to dynamically allocate circuit switch resources to ATM traffic to route the traffic to a packet switch fabric for switching.

10.   (Original)   The apparatus of claim 9 wherein the controller is configured to dynamically allocate circuit switch resources to IP traffic to route the traffic to a packet switch fabric for switching.

11.   (Currently Amended)   A method of switching telecommunications traffic in a hybrid switch including a circuit switch fabric, a packet switch fabric, and a controller, the method comprising the steps of:

(A) provisioning the circuit switch fabric for IP, ATM, and circuit traffic,

(B) examining ~~traffic~~ a SONET/SDH path overhead ~~information~~ byte to determine whether received traffic is IP, ATM, or circuit traffic, and

(C) switching the received traffic in a packet or circuit switch fabric in response to the determination of step (B).

12. (Canceled)

13. (Canceled)

14. (Currently Amended) The method of ~~claim 13~~ claim 11 wherein the overhead byte is a C2 overhead byte.

15. (Original) The method of claim 14 wherein the step (C) of switching comprises the step of:

(C1) the controller directing ATM traffic to a packet switch fabric.

16. (Original) The method of claim 14 wherein the step (C) of switching comprises the step of:

(C2) the controller directing IP traffic to a packet switch fabric.

17. (Original) The method of claim 14 wherein the step (C) of switching comprises the step of:

(C3) the controller directing traffic that is neither ATM or IP traffic to the circuit switch fabric.

18. (Original) The method of claim 14 wherein the step (C) of switching comprises the step of:

(C4) the controller dynamically allocating circuit switch resources to ATM traffic to route the traffic to a packet switch fabric for switching.

19. (Previously Presented) The method of claim 14 wherein the step (C) of switching comprises the step of:

(C5) the controller dynamically allocating circuit switch resources to IP traffic to route the traffic to a packet switch fabric for switching.

20. (Previously Presented) A hybrid telecommunications switch apparatus comprising:

one or more circuit switch fabrics,

one or more packet switch fabrics,

a controller configured to examine traffic overhead information to determine which of said switch fabric types to route the traffic to; and to route telecommunications traffic to one or the other of the said circuit or packet switch fabrics upon making a determination,

wherein the overhead information comprises a SONET/SDH path, C2 overhead byte.

21. (Previously Presented) The apparatus of claim 20 wherein the circuit switch fabric is a synchronous transport signal (STS) crossconnect.

22. (Previously Presented) The apparatus of claim 20 wherein the packet switch fabric is configured to switch internet protocol (IP) or asynchronous transfer mode (ATM) traffic.

23. (Previously Presented) The apparatus of claim 20 further comprising a plurality of circuit switch fabrics.

24. (Previously Presented) The apparatus of claim 20 wherein the controller is further configured to examine the path overhead byte to determine whether the traffic is ATM, IP, or STM traffic.

25. (Previously Presented) The apparatus of claim 24 wherein the controller is further configured to dynamically allocate circuit switch resources to ATM traffic to route the traffic to a packet switch fabric for switching.

26. (Previously Presented) The apparatus of claim 25 wherein the controller is further configured to dynamically allocate circuit switch resources to IP traffic to route the traffic to a packet switch fabric for switching.

27. (Previously Presented) A method of switching telecommunications traffic in a hybrid switch including a circuit switch fabric, a packet switch fabric, and a controller, the method comprising the steps of:

provisioning the circuit switch fabric for IP, ATM, and circuit traffic,

examining a SONET/SDH path, C2 overhead byte to determine whether

received traffic is IP, ATM, or circuit traffic, and

switching the received traffic in a packet or circuit switch fabric in

response to the determination of step (B).

28.   (Previously Presented)   The method of claim 27 further comprising

the step of directing ATM traffic to a packet switch fabric.

29.   (Previously Presented)   The method of claim 27 further comprising

the step of directing IP traffic to a packet switch fabric.

30.   (Previously Presented)   The method of claim 27 further comprising

the step of directing traffic that is neither ATM or IP traffic to the circuit switch

fabric.

31.   (Previously Presented)   The method of claim 27 further comprising

the step of dynamically allocating circuit switch resources to ATM traffic to

route the traffic to a packet switch fabric for switching.

32.   (Previously Presented)   The method of claim 27 further comprising

the step of dynamically allocating circuit switch resources to IP traffic to route

the traffic to a packet switch fabric for switching.